

Amendment No. 1 to SB3418

Cohen
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3418*

House Bill No. 3503

by deleting the amendatory language of SECTION 3 in its entirety and substituting instead the following language:

(d) Within budgetary limitations and subject to the approval of the commissioner of personnel, the board through its executive director may employ professional and staff employees as may be appropriate for the efficient discharge of its duties to manage and operate TRICOR.

(1) The board, with the approval of the commissioner of personnel, shall have the option of declaring positions, unique to the operations under the control of the board, to not be a part of the career service and to be under the exclusive control of the board.

(2) Upon appointment on or after July 1, 2006 to a position designated unique to the operations of TRICOR, an employee shall be subject to a probationary period of employment, as shall be established by the board and with the approval of the commissioner of personnel. Upon successful completion of the probationary period, the employee will be afforded minimum due process as defined in § 8-30-331, and access to the grievance procedures applicable to permanent employees, as provided in § 8-30-328 and the Rules of the Department of Personnel, before the employee is suspended, demoted or terminated. These protections of minimum due process and access to the grievance procedures shall also be afforded to all TRICOR employees already working in positions which are subsequently moved out of the career service pursuant to the provisions of this subdivision. The provisions of this subdivision shall apply to those positions that are not a part of the career service by virtue of the position's uniqueness to the operations under the control of the board and

shall have no application to positions assigned to the executive service pursuant to the provisions of § 8-30-208(b).

(3) Those positions that are not unique to TRICOR and are career service will remain career service.

(4) Notwithstanding any provisions of law to the contrary, the board has the authority to develop procedures for recruiting and hiring qualified personnel, including career service, in a timely manner and at salary levels competitive with the free market in order to ensure the production and timely delivery of low cost, quality products and to assure that the operations of TRICOR are efficiently managed and thus off-set the costs of incarceration. The board has the authority to hire staff through the department of personnel and is encouraged to exercise this option when it is consistent with the principles of free enterprise.

This subsection shall be implemented notwithstanding any other law to the contrary.